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SUBJECT: ARMY CAPTAIN IMPLICATES GENERAL FANDINO IN SAN JOSE DE APARTADO MASSACRE COVER-UP

SUMMARY

¶1. General Hector Fandino, former commander of the 17th Brigade, was implicated by jailed Captain Guillermo Gordillo in a cover-up of the February 2005 massacre of eight people, including three children, near San Jose de Apartado. Gordillo has pled guilty and asked for witness protection for himself and his family in exchange for testifying against Fandino and others involved. The Prosecutor General's office (Fiscalia) has finished questioning 69 members of the 17th, and decided to not pursue prosecution due to lack of evidence. Still, Gordillo's cooperation will lead to further arrests. Recent testimony from demobilized paramilitary leader Ever Veloza (HH) has implicated retired General Rito Alejo del Rio in paramilitary collaboration during as 17th Brigade Commander from 1995 to 1997. END SUMMARY.

GENERAL FANDINO IMPLICATED IN COVER-UP

¶2. Captain Guillermo Gordillo plead guilty to involvement in the massacre of eight people, including three children, in February, 2005, near San Jose de Apartado, and has agreed to testify on other officers' involvement in the crime. In exchange, Gordillo has asked the Fiscalia to include him and his family in its witness protection program. Gordillo testified on July 30 that in early November 2007, General Hector Fandino, commander of the 17th Brigade at the time of the massacre, urged him not to cooperate with the Fiscalia's investigation or to reveal that there were joint patrols involving the military and civilian "guides" (such as paramilitaries) at the time. (Note: In the past, military units frequently used "guides," who were often paramilitaries or demobilized FARC, in combat operations.)

¶3. Gordillo said Fandino called him after a demobilized paramilitary, known as "Melaza," implicated the 17th in the massacre. He subsequently met with Fandino on November 6, 2007, in northern Bogota. Gordillo said Fandino warned him that he might be arrested or detained in light of "Melaza's" testimony, and reiterated his request that he not testify about any paramilitary collaboration with the 17th Brigade. Gordillo added that after his detention at a military facility in Bogota for his involvement in the crime, he received a visit from Lt. Colonel Espinosa in March of 2008. Espinosa told him "not to worry," and urged him to keep silent about the massacre.

¶4. Fandino has denied any connection to the massacre, the cover-up, or paramilitary collaboration. He claims he has done nothing to impede the Fiscalia's investigation. The Fiscalia says it will likely proceed with an investigation

against Fandino. The Fiscalia completed its questioning of 69 members of the 17th Brigade on the February massacre, but has decided not to pursue them further due to lack of information. Still, with Gordillo's testimony, the Fiscalia will likely detain other members of the 17th in the days ahead.

CHARGES POSSIBLE AGAINST GENERAL DEL RIO

¶5. Former paramilitary leader Ever Veloza (Alias "HH") testified in the Justice and Peace Law process that General Rito Alejo del Rio, former commander of the 17th from 1995-1997, colluded extensively with paramilitaries in the region. Del Rio was also named as a collaborator by

Salvatore Mancuso, a former paramilitary leader, in May 2007.

Mancuso accused Del Rio of meeting with paramilitary leaders to plan joint operations aimed at "cleansing" Uraba of guerrillas and forcibly displacing peasants to make land available for African Palm projects. The testimonies of Veloza and Mancuso have led to the discovery of mass graves crime and other serious crimes committed in Uraba (including Jiguamiando and Curvarado, Cacarica, and San Jose de Apartado) during Del Rio's tenure as commander.

¶6. The Fiscalia has reopened its investigations against Del Rio for his involvement in a variety of different cases, including possible collusion in the 1997 Mapiripan massacre in which paramilitaries flew to Mapiripan from Uraba. The testimonies of the demobilized para leaders have been backed

by the testimony of retired Colonel Carlos Alfonso Velasquez, who served on the command staff of the 17th Brigade under Del Rio. Velasquez was forced to retire after making his allegations against del Rio in 1996.

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